

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars:

1. Amendments and Support for Same

By the Response, claim 1 has been amended to further clarify a claimed feature of the invention. As recited in amended claim 1 and supported in, e.g., page 8, lines 15-21 and Fig. 1 of the present application (which is taken from a PCT application), an insulating layer (9) has a recess (10) in an area of the rear electrode layer (7). That is, an area of the rear electrode layer (7) fit in the recess (10) in the insulation layer (9). No new matter has been added. Accordingly, claims 1-14 are respectfully submitted for consideration. Approval and entry of the amendments are respectfully requested.

2. Objection to the Specification

With respect to the objection to the specification, Applicant has amended the specification to include headings for various sections of the specification, as suggested by the Examiner.

With respect to the objection to the title of the invention not being descriptive, Applicant respectfully directs the Examiner's attention to, e.g., U.S. Patent No. 6,624,571 having "Electroluminescent Display" as the title of the invention. As such a title is acceptable in the U.S. Patent No. 6,624,571, the present title of the present invention should also be deemed as being sufficiently descriptive. Accordingly, the objection to the specification is respectfully requested to be reconsidered and withdrawn.

3. Objection to the Claims

With respect to the objection to claim 2, Applicant has amended "the electrode layer" to read "the transparent electrode layer." In view of the

amendments set forth above, Applicant respectfully requests reconsideration and withdrawal of the objection to claim 2.

4. Claim rejections under 35 U.S.C. §112, 2nd paragraph

With respect to the rejection of claim 8 under 35 U.S.C. §112, 2nd paragraph, Applicant has amended “the single carrier” to read “a single carrier.” In view of the amendments and arguments set forth above, Applicant respectfully requests reconsideration and withdrawal of the §112, 2nd paragraph, rejections of claim 8.

5. Rejection under 35 U.S.C. §103(a)

With respect to the rejection of claims 1-14 under 35 U.S.C. §103(a) as being unpatentable over Sack, Jr. et al. (US 2,922,076 – hereinafter Sack) and further in view of Cantarano (US 3,890,039), Applicant respectfully traverses the rejection at least for the reason that Sack and Cantarano, combined or separately, fail to describe each and every limitation recited in the rejected claims.

As supported in Fig. 1 and recited in amended claim 1, the electroluminescent display of the present invention includes, among other features, a transparent insulating layer (9) has a recess (10) in an area of the rear electrode layer (7), and a transparent contact layer (12) situated on at least part of the area of the insulating layer (9) for contacting the rear electrode layer (7).

In page 3 of the detailed Office Action, the Examiner contends that Sack describes “an insulating layer 28 which has recess 30 in the region of the rear electrode 26, contact layer 30 situated on at least a part of the area of the insulating layer 28 for contacting the rear electrode.” In response, Applicant respectfully submits that, given the glass member 28 of Sack being equivalent to Applicant’s insulating layer (9) having a recess (10) in an area of the rear electrode layer (7), and given that the back electrode 26 of Sack being equivalent to Applicant’s rear electrode layer (7), the conductive rubber electrodes 30 of Sack cannot possibly be either or both a “recess 30” and “contact layer 30” as alleged by the Examiner.

As explained above, Applicant’s contact layer (12) is transparent and situated on at least part of the area of the insulating layer and is in contact with the rear

electrode layer (7) via recess (10). Hence, the conductive rubber electrodes 30 of Sack cannot be equivalent to either Applicant's recess (10) or transparent contact layer (12), because the rubber electrodes 30 of Sack is designed to be between and in electrical contact with the back electrodes 26 and contacts 34, as shown in Figs. 2 and 3 of Sack.

Further, with Applicant's claimed rear electrode layer (7) having an area being in the recess (10) of the insulating layer (9), there is no need to include a feature similar to Sack's conductive rubber electrodes 30. Hence, Applicant's claimed invention is less complex in design at least because there is one less layer than that of Sack's. That is, Sack's conductive rubber electrodes are obsolete in view of Applicant's claimed invention.

Further, as Sack's back electrode 26 is equivalent to Applicant's rear electrode layer (7), one can clearly see that an area of each of the rear electrode layer (7) fits in the recess (10) of the insulating layer (9). Hence, each of a plurality of rear electrodes is isolated and separated from each other by being in its respective recess (10) the insulation layer (9). In contrast, the back electrodes 26 of Sack are not fitted into any recess of an insulating layer. Hence, the electrodes 26 of Sack appear to be separated by an air gap, which may be particularly dangerous in that there is no isolation and a person may be able to touch the electrode and be in electrical contact with the electrode. That is, if the rear electrode (7) of the present invention were not isolated by being in the recess (10) of the insulating layer (9), one may come in contact with the electrode layer (7) at the edge of the electroluminescent display.

With respect to Cantarano, the reference is related to electrographic device and not an electroluminescent display or device. Further, Applicant respectfully asserts that, similar to Sack, Cantarano does not teach, disclose, or suggest a transparent insulating layer (9) has a recess (10) in an area of the rear electrode layer (7), and a transparent contact layer (12) situated on at least part of the area of the insulating layer (9) for contacting the rear electrode layer (7).

Where all claimed features are not shown or described in the relied upon prior art, Office personnel (as noted in MPEP § 2141 at pp. 2100-118 (8th Ed., Rev. 6th, Sept. 2007)), must explain why the differences between the relied-upon prior art and the claimed invention would have been obvious to one of ordinary skill in the art.

Applicants respectfully request such an explanation for the differences noted herein between each of claim 1 and the proposed combination of Sack in view of Cantarano. Applicant submits, however, that absent the benefit of applicant's own disclosure, there is no explanation, suggestion or teaching in the relied-upon prior art that could render the differences obvious to one of ordinary skill in the art because none of the relied upon references contemplate a transparent insulating layer (9) has a recess (10) in an area of the rear electrode layer (7), and a transparent contact layer (12) situated on at least part of the area of the insulating layer (9) for contacting the rear electrode layer (7), as recited in amended claim 1.

In view of the amendment and arguments set forth above, Applicant respectfully requests reconsideration and withdrawal of the §103(a) rejection of claims 1-14.

6. Conclusion

In view of the amendments to the claims, and in further view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is requested that claims 1-14 be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's representative, the Examiner is invited to contact the undersigned at the numbers shown.

Further, while no fees are believed to be due, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-4525.

Respectfully submitted,

/Donald R. Studebaker/
Donald R. Studebaker
Registration No. 32,815

Studebaker & Brackett PC
One Fountain Square
11911 Freedom Drive
Suite 750
Reston, Virginia 20190
(703) 390-9051
Fax: (703) 390-1277
don.studebaker@sbpatentlaw.com